

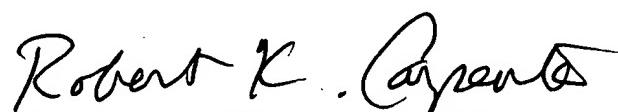
REMARKS

Claims 17-29 are pending in this application. By this Amendment, claims 28 and 29 are amended to correct typographical errors. No new matter is added.

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300.

Respectfully submitted,

  
Robert K. Carpenter  
Robert K. Carpenter  
Registration No. 34,794

AREN'T FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 600  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

COPY OF AMENDED CLAIM MARKED-UP TO SHOW AMENDMENTS

28. (Amended) An implant material suitable for cartilage and/or bone growth comprising a bioactive matrix material which is composed of a calcium phosphate and applied in and/or on this bioactive matrix a cartilage inducing and/or bone inducing protein or a DNA encoding such protein, wherein the protein comprises a member selected from the group consisting of

- (a) a protein sequence comprising amino acid 1 to [500] 501, 28 to [500] 501, 361-400 to [500] 501, 381 to [500] 501, 382 to [500] 501, 400 to 500 of SEQ ID NO:1,
- (b) a protein sequence according to (a) which differs from SEQ ID NO: 1 due to the origin of the protein from other vertebrates but has essentially the same cartilage and/or bone inducing activity as (a),
- (c) a protein according to (a) or (b) which is a homodimer,
- (d) a protein according to (c) and a dimer of another protein of the TGF- $\beta$  superfamily, and
- (e) a protein using the same receptor mechanism as a protein according to (c).

29. (Amended) The implant material of claim 28 wherein the protein comprises a member selected from the group consisting of

- (a) a protein sequence comprising amino acid 1 to [500] 501, 28 to [500]  
501, 361-400 to [500] 501, 381 to [500] 501, 382 to [500] 501, 400 to  
500 of SEQ ID NO:1,
- (b) a protein sequence according to (a) which differs for SEQ ID NO: 1  
due to the origin of the protein from other vertebrates but has  
essentially the same cartilage and/or bone inducing activity as (a),
- (c) a protein according to (a) or (b) which is a homodimer, and
- (d) a protein according to (c) and a dimer of another protein of the  
TGF- $\beta$  superfamily.